

BERRY & PERKINS  
A PROFESSIONAL CORPORATION

James H. Berry, Jr. (State Bar No. 075834)  
Kevin R. Lussier (State Bar No. 143821)  
Esperanza V. Cervantes (State Bar No. 197953)  
BERRY & PERKINS  
A Professional Corporation  
2049 Century Park East, Suite 950  
Los Angeles, California 90067-3134  
Telephone: (310) 557-8989  
Facsimile: (310) 788-0080  
E-Mail: [jberry@berryperkins.com](mailto:jberry@berryperkins.com)  
E-Mail: [klussier@berryperkins.com](mailto:klussier@berryperkins.com)  
E-Mail: [ecervantes@berryperkins.com](mailto:ecervantes@berryperkins.com)

Peter D. Raymond, Esq. (*Pro Hac Vice*)  
REED SMITH LLP  
599 Lexington Avenue  
New York, New York 10022-7650  
Telephone: (212) 521-5400  
Fax: (212) 521-5450  
E-mail: [praymond@reedsmith.com](mailto:praymond@reedsmith.com)

Attorneys for Defendant and Counterclaimant,  
MILLENNIUM IMPORT LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HAMBRECHT WINE GROUP, L.P. d/b/a )  
BELVEDERE WINERY, L.P., )

Plaintiff, )

vs. )

MILLENNIUM IMPORT LLC, )

Defendant. )

AND RELATED CROSS-ACTION )

Case No. C 05-4625 JW HRL

**[PROPOSED] ORDER AND  
STIPULATION RE-SETTING  
HEARING DATES FOR (i)  
PLAINTIFF'S AND DEFENDANT'S  
CROSS-MOTIONS FOR SUMMARY  
JUDGMENT, (ii) PLAINTIFF'S  
MOTION TO EXCLUDE EXPERT  
OPINION OF WESTON ANSON, AND  
(iii) DEFENDANT'S MOTION TO  
EXCLUDE EXPERT OPINIONS OF  
LEONARD LYONS AND ROBERT  
GOLDSCHIEDER**

**[LOCAL RULE 7-7(b)]**

**Old Date: February 26, 2007  
New Date: March 5, 2007**

1 Plaintiff Hambrecht Wine Group, L.P. d/b/a Belvedere Winery, L.P. ("Belvedere Winery")  
 2 and defendant Millennium Import LLC ("Millennium"), by and through their respective counsel of  
 3 record, enter into the stipulation set forth below in recognition of the following:

4 A. By order of January 29, 2007, the Court on its own motion continued the hearing  
 5 on the parties' Cross Motions for Summary Judgment and Plaintiff's Motion to Exclude Expert  
 6 Opinion of Weston Anson from February 12, 2007, to February 26, 2007, at 9:00 a.m., in order to  
 7 coincide with the hearing on February 26, 2007, on Defendant's Motion to Exclude Expert  
 8 Opinions of Leonard Lyons and Robert Goldscheider.

9 B. Plaintiff's counsel has a schedule conflict on February 26, 2007, that will prevent  
 10 him from attending and participating in the hearing on the above-described motions on February  
 11 26, 2007.

12 C. In order to accommodate Plaintiff's counsel's schedule conflict, the parties wish to  
 13 continue the hearing date of (i) the parties' Cross-Motions for Summary Judgment, (ii) Plaintiff's  
 14 Motion to Exclude Expert Opinion of Weston Anson, and (iii) Defendant's Motion to Exclude  
 15 Expert Opinions of Leonard Lyons and Robert Goldscheider, from February 26, 2007, to March 5,  
 16 2007, at 9:00 a.m.

17 ACCORDINGLY, THE PARTIES STIPULATE AS FOLLOWS:

18 The hearing on the parties' Cross-Motions for Summary Judgment, Plaintiff's Motion to  
 19 Exclude Expert Opinion of Weston Anson, and Defendant's Motion to Exclude Expert Opinions

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

of Leonard Lyons and Robert Goldscheider shall be continued from February 26, 2007, to March 5, 2007, at 9:00 a.m.

It is so STIPULATED.

DATED: January 31, 2007

Respectfully submitted,

REED SMITH LLP  
Peter D. Raymond, Esq.  
(*Pro Hac Vice*)

BERRY & PERKINS  
A Professional Corporation  
James H. Berry, Jr.  
Kevin R. Lussier

By: /s/James H. Berry, Jr.  
James H. Berry, Jr.  
Attorneys for Defendant and  
Counterclaimant  
MILLENNIUM IMPORT LLC

DATED: January 31, 2007

Respectfully submitted,

HAMBRECHT WINE GROUP, L.P. d/b/a  
BELVEDERE WINERY, L.P.  
*By its Attorneys, Appearing Pro Hac Vice,*

BROMBERG & SUNSTEIN LLP

By: /s/Erik Paul Belt  
Erik Paul Belt  
Maureen K. Toohey (State Bar #196401)  
Peter J. Karol  
Rebecca L. Hanovice  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110  
Tel.: (617) 443-9292  
Fax: (617) 443-0004  
E-mail: [ebelt@bromsun.com](mailto:ebelt@bromsun.com)

*Co-Counsel*  
Howard A. Slavitt (State Bar #172840)  
Rachel G. Cohen (State Bar #218929)  
COBLENTZ, PATCH, DUFFY & BASS,  
LLP  
One Ferry Building, Suite 200  
San Francisco, CA 94111-4213  
Tel.: (415) 391-4800  
Fax: (415) 989-1663  
E-mail: [hslavitt@coblentzlaw.com](mailto:hslavitt@coblentzlaw.com)

BERRY & PERKINS  
A PROFESSIONAL CORPORATION

**ORDER**

Good cause appearing for the above stipulation, it is so ORDERED, and the hearings on the parties' Cross-Motions for Summary Judgment, Plaintiff's Motion to Exclude Expert Opinion of Weston Anson, and Defendant's Motion to Exclude Expert Opinions of Leonard Lyons and Robert Goldscheider shall be continued from February 26, 2007, to March 5, 2007, at 9:00 a.m. Opposition and reply papers concerning Defendant's Motion to Exclude the Expert Opinions of Leonard Lyons and Robert Goldscheider shall be filed and served no later than the deadlines set forth in local rules 7-3, counting from the continued hearing date of March 5, 2007.

DATED: 2/1/2007

  
THE HONORABLE JAMES WARE  
United States District Judge

BERRY & PERKINS  
A PROFESSIONAL CORPORATION